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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE OPTICAL DISK DRIVE PRODUCTS
ANTITRUST LITIGATION

CASE NO. 3:10-md-2143 RS

**STIPULATION AND [PROPOSED]
ORDER MODIFYING THE DEADLINE
FOR DEPOSITIONS OF CERTAIN
PROPOSED CLASS REPRESENTATIVES
AND PLAINTIFFS' EXPERTS**

This document relates to:

ALL ACTIONS

DATE ACTION FILED: Oct. 27, 2009

1 WHEREAS, on April 15, 2013, this Court entered an Order Modifying Class Certification
2 Schedule (Dkt. 833), which provided, among other things, that the deadline for the depositions of
3 proposed class representatives and Plaintiffs' experts shall be July 25, 2013;

4 WHEREAS, the Direct Purchaser Plaintiffs and Indirect Purchaser Plaintiffs filed their
5 separate motions for class certification on May 29, 2013, and each set of Plaintiffs served an
6 expert declaration and/or report in connection with those motions;

7 WHEREAS, on April 17, 2013, the Direct Purchaser Plaintiffs filed a Third Consolidated
8 Direct Purchaser Class Action Complaint, which identified new proposed class representatives;

9 WHEREAS, on July 10, 2013, the Indirect Purchaser Plaintiffs filed a Fourth Amended
10 Class Action Complaint, which identified new proposed class representatives;

11 WHEREAS, despite reasonable efforts to schedule the depositions of the over thirty class
12 representatives prior to July 25, 2013, there are three Direct Purchaser class representatives (Paul
13 Nordine, Gregory Starrett, and Ashley Tremblay) and one Indirect Purchaser class representative
14 (Thomas Stenger) who Defendants seek to depose beyond that deadline;

15 WHEREAS, Defendants' counsel requires additional time to fully evaluate and review the
16 class certification filings, including the expert reports filed in support thereof, and believes that
17 the agreed upon dates for those depositions—August 9, 2013 for Dr. Gary L. French and August
18 19, 2013 for Dr. Kenneth S. Flamm—will provide them adequate time to prepare;

19 WHEREAS, the parties have agreed to specific dates during August and September 2013
20 to complete the depositions for the four class representatives and Plaintiffs' expert witnesses;

21 NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between the undersigned
22 counsel for the parties, that the deadlines for the depositions of (i) Plaintiffs' expert witnesses (Dr.
23 Flamm and Dr. French), and (ii) proposed class representatives Paul Nordine, Ashley Tremblay,
24 Gregory Starrett, and Thomas Stenger, shall be extended beyond July 25, 2013. The deposition of
25 Dr. French will take place on August 9, 2013 and the deposition of Dr. Flamm will begin on
26 August 19, 2013. The depositions for the proposed class representatives shall be permitted to take
27 place on the date and time to which the parties have agreed, or as may be modified by the parties
28 through agreement.

1 IT IS SO STIPULATED.

2 DATED: July 23, 2013

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8 *Acting as Liaison Counsel for Defendants*

9 DATED: July 23, 2013

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25 *Interim Lead Counsel for Indirect Purchaser*
26 *Plaintiffs*

1 DATED: July 23, 2013

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10 *Interim Lead Counsel for Direct Purchaser Class*

11 * * *

12
13 **IT IS SO ORDERED.**

14 DATED: _____

15 HONORABLE RICHARD SEEBORG
16 UNITED STATES DISTRICT COURT JUDGE